



Environmental Protection To Mitigate The Annual Forest And Land Fires Crisis In Riau Province Indonesia

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ABSTRACT

The crisis of haze in Riau Province Indonesia, due to the annual forest and land fires, has caused several problems in some countries across South East Asia including environmental law violation, air pollution, and health problems. Although continuous protests have been expressed by the local society and neighbouring countries, but the crisis seems still far away to be solved. Therefore, this study is aimed to offer a human right based approach to bridge the gap in mitigating the annual forest and land fires in Riau Province Indonesia. The type of the study is a desk research in which the writer examines the human based approach by using the perspective of environmental communication strategy. The result shows that human right based approach can be used as an environmental protection to mitigate the annual forest and land fires through environmental communication by maximizing the main elements of community participation such as holding events, campaigning hashtag movement, and giving penalties for companies which are involved in the forest and land burning crisis.

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1. INTRODUCTION

For several years, the haze crisis has been a serious issue due to forest and land fires which annually happens in Riau Province Indonesia. The forest and land fires usually occur in transitional periods or during the dry season; in August, September, and October. The causes of forest and land fires are generally caused by two factors. The first is human negligence factor that is carrying out its activities in the forest. The second is because of intentional factors such as deliberating to get cleared land and plantation. However, the human negligence factor has smaller effect than the intentional factor in taking parts on the forest and land burning crisis.

To do the land clearing, it is usually done by burning at the opening of new land or in the forest area for the rejuvenation of industrial crops. The cost is cheap, but it is obviously irresponsible and it has a huge impact. The losses that they generate are also very large. Moreover, forest and land fires cause environmental damage, such as harming public health, causing infectious diseases in respiratory, as well as creating an unhealthy environment. (Dawud: 1999) (Schweithelm & Glover: 1999). The forests and land burning areas also disrupt the neighbouring communities, and it can lead negative judgments from the international community against the Indonesian government.

Beside being transnational environmental pollution which impacts the health and feasibility of air ecosystems at the local and national levels, the haze that is generated from forest and land fires in Indonesia has also affected the survival and economic activity of some other countries within the ASEAN regional. Therefore, the Indonesian government has carried out some efforts to prevent, reduce, and control the forest and land fires through several regulations namely plantation act, haze agreement, forest act, and environmental act (Rahmadi: 2014).

Due to the crisis of forest and land fires that harm the neighboring countries, there have been protests through coercion with diplomatic medium from both countries. Although, the protests have not been sent using juridical path (Afrida: 2012). The settlement used by the countries is in the form of negotiations between Indonesia, Malaysia and Singapore to resolve the haze crisis by drafting some agreements. The attitude of the two countries or arguably foreign policy is slightly different to this problem. Singapore takes a neutral stance by assisting Indonesia through its forest fires extension program, while Malaysia takes a passive stance by restoring its responsibility to Indonesia (Candradewi :2014).

In addition to the legislation, Indonesian government is also conducting efforts to prevent and control forest and land fires such as counseling, marking fire prone locations, putting out fires through forests, and community-based approaches (Adinugroho: 2015). However, forest or land fires and haze are still recurring to this day. Based on the observation, it is discovered that the cause of the failure is the fact that Indonesian government fails to prevent the occurrence of annual forest and land fires. The first reason is the lack of awareness of the community. The community has various roles to reduce the number of forest and land fires in Indonesia. They can conduct patrols or supervision to carry out early response to forest and land fires. Unfortunately, the awareness in the community is still very low.

The economic motive is the second reason of forest and land fires in Riau mentioned by the Riau Police and Police Criminal Investigation. "It happens because the burning of private land for economic reasons is not controlled. The cost of land clearing by burning is around 42 to 56 dollars per hectare, while without burning it takes 239 dollars per hectare to open the land," said Sutopo. Besides, the budget that must be spent by landowners to pay people to burn land is not expensive. They only have to spend around 35 to 49 dollars to burn the land with an average of 10 hectares.

It is known that cost constraint is indeed the dominant factor which triggers the practice of the burning forest and land for some big companies. Based on some researches' results and interviews, most of the companies are opening and preparing the land using fire. The use of fire is economically very cheap and easy; from a technical and economical point of view. The main difference between a fuel and non-burning land preparation system is in the equipment used and its cost (Varma: 2003).

The third reason is the lack of law enforcement. There are various legal products related to the ban on forest and land fires, yet their criminal threats have not been fully used by law enforcement parties in an effort to address this problem. There are often corruptions such as the existence of parties who want to thwart the process of investigation, so the case was stopped suddenly without any suitable reason. In addition, less strict punishments dealing with revocation of company permits also happens, since the similar company with different names can get new permits in Riau in the next few months (Saputra: 2014).

Knowing the fact that the various government efforts have not been significant in mitigating the annual forest and land fires, as well as realizing the importance of a healthy environment, this study discusses the possibility of using human right approach as an environmental protection with the

aim to bridge the gap on the forest and land fires mitigation effort. Furthermore, this desk research also examines the prospect and limits of such approach based on the environmental communication strategy perspective.

2. RESEARCH METHOD

The research aims to see how environmental protection is to mitigate the annual forest and land fires crisis in Riau, using the method qualitative study with ethnographic communication as the research design. On In this study, researchers apply the constructivist paradigm, so that researchers views social conditions as a systematic analysis of "socially" meaningfull action" through direct and detailed observation of the perpetrator social settings in a natural or natural setting of daily life, in order to be able to understand and interpret how the social actors concerned create and maintain or manage their social world.

3. RESULTS AND DISCUSSIONS

3.1. Human Right Based Approach

Environmental protection and human rights are interrelated, interconnected, and mutually responsive as both of them intended for the well-being of humanity. Safe and healthy environment are the prerequisite for the enjoyment of fundamental human rights. The relation between these two things has been recognised in various international and regional instruments such as resolutions of the UN subsidiary organization, the outcome documents of international conferences, and the judicial pronouncement of tribunals which consider the human rights framework as an effective means to achieve the ends of environment protection, even though most of organizations, governments, and even academia still treat human rights violations and environmental degradation as unrelated issues.

The first approach on human right based approach is to consider environmental protection as a possible means to fullfil the human rights standards. The second approach is by stating the fact that 'the legal protection of human rights is an effective means to achieve the goal of conservation and environmental protection'. This highlights the presently existing human rights as a route to environmental protection, because the focus is on the existing human right. The third approach is to challenge the statement of denying the possible formal connection between 'human rights and the environment' (Pathak: 2014).

Human right based approach is built on the basis of every human being, since every human being is a human rights holder. Thus, a person's right needs to be respected, protected, and fulfilled. Normatively, this right based approach is based on international human rights standards as well as on the constitution and other national human rights provisions; operationally promoting the implementation of human rights. The approach does not only talk about economic aspects, but it also talks about the fulfilment of human rights such as a healthy environment as one of the prerequisites for the enjoyment of human rights.

Furthermore, the human right based approach is important in the context of environmental protection. It is because the approach has the potential to empower communities. For environmental protection to create a healthy environment will not work effectively without community empowerment and participation.

The most basic way to empower the community's participation is done through the recognition of the concepts of human rights itself. Human rights concepts should be included into the process of making a certain policy, so the foundation of a development strategy will be understood as what needs to be done. Moreover, a healthy environment will be understood as a right that is integrated with other rights, which also has consequences for the existence of legal obligations for the state and other parties to fulfil. Thus, the human right based approach is successfully believed to increase participation, contribution and accountability to be more effective, more sustainable and more rational by specifically identifying the duties and responsibilities of the state to fulfil the people's rights.

A human right based approach will not be based on a state's "compassion" or economic development scheme. In contrary, it is overarching processes that strengthen and empowers anyone to claim their rights. With this approach, the process is directed to move from the "compassion" scheme of the state towards the fulfilment of state obligations. In essence, this human right based approach does not replace the previous approach, but the approach will strengthen it. This approach will also integrate human rights norms, standards and principles into all analysis, plans, policies and overall development processes, especially for the purpose of reducing abuse of power and increase the achievement of targets and goals.

Moreover, a human right based approach provides rights protection that is organically incorporated into plans, policies and development projects from the outset. Thus, each policy stage should reflect the human rights framework in detail, and will thoroughly provide guidance for all areas and the layers of society. It specifically emphasizes the importance of ensuring the active and informative participation of communities in designing process, implementation and monitoring of environmental protection strategies. This approach shows that participation is not only valuable as a means of achieving goals, but participation is a part of fundamental human rights. The effective participation of the community requires the existence of certain mechanisms and arrangements at various levels of decision-making to overcome the constraints faced by individuals, communities, and marginalized groups in general, to take an active role in people's lives.

A human right based approach to environmental protection also emphasizes the importance of accountability from policymakers and other parties whose actions have consequences for human rights. Therefore, institutional and legal / administrative arrangements that ensure accountability are incorporated into environmental protection strategies which are the intrinsic aspects of a human rights based approach.

Another aspect of human right based approach is that the process of environmental protection is a shared responsibility. Although the state is responsible for fulfilling the human rights of the people living within its jurisdiction, the actors, whether state or non-state, they also have a responsibility to contribute, or at least not to violate human rights.

There are several elements in applying human rights based approach. The first element is participation. It aims to enhance the level of participation of communities, indigenous groups, women, children and others. It sees teenagers and children as active participants in any form of searching for constructive solutions. The second element is increasing accountability by identifying rights-holders (as well as their rights), duty bearers (and their obligations), as well as identifying positive duty bearers (to protect, promote and fulfil the rights) and their negative obligations (not to commit a rights violation).

Non-discrimination will also be the main focus by giving a high concern on discrimination, equality, and marginalized groups including minority groups, indigenous groups, and detained citizens. Another element is by moving from dependence to empowerment by focusing on beneficiary groups as rights owners and development actors without treating them as the objects of programs, as well as helping them to meet their needs. It is done by giving people the power, capability, and access needed to change their lives, conditions, and future. It emphasizes in strengthening individuals and communities including children to play more active role in society.

In short, human right based approach refers directly to individual rights by establishing networks that can directly link parties requiring information on human rights instruments at the national, regional and international levels. It also considers overall rights, such as civil, cultural, economic, political, and social rights which are integrated, interconnected and interconnected.

3.2. Opportunities And Challenges Of A Human Right Based Approach On The Protection Of The Environment

A healthy environment is the basic right of every people in Indonesia as mandated in Article 28H of the 1945 Constitution of Indonesia. The quality of environment has been a crucial issue in Indonesia, especially in relation with annual forest and land fires happened in Riau. Many efforts have been done,

but it seems that those solution is useless due to the regular events. The urgency of environmental protection has lead to find a better way to overcome this problem.

Based on the previous discussion, human right based approach has opportunities to mitigate forest and land fire in Riau by employing the aspect of community participation. The approach has aims to enhance the level of community's participation of indigenous groups, women, children and others. It also considers teenagers and children as active participants in any form of searching for constructive solutions. In order to increase community participation, adequate information is needed to inform the public about the impacts of forest and land fires, as well as the importance of a healthy environment. This effort can be done by doing environmental communication with all parts of the community.

Environmental communication is a pragmatic and constructive medium to provide an understanding for the community about the environment. It concerns with the strategy of packaging messages in the media to raise community awareness and participation in environmental management. The environmental communication is in the form of interpersonal communication, group communication and through the mass media as one of the civil society that can raise awareness of the importance of the problem.

Communication and education are the process of environmental learning which have impact on at least two levels; 1) Environmental perception largely determined by the cultural context, vision, lifestyle and the perception obtained through communication; 2) Criteria and options for decisions on the sustainable practices of public discourse and communication alternatives in a transparent manner. This is able to change the perception of society by using logic and the application of science.

Environmental communication cannot be separated from the level of knowledge and attitude about various matters relating to environmental protection and the creation of a healthy environment, since knowledge is the basis formation of beliefs. The belief in the next level becomes a consideration for determining attitudes and behaviour, including attitudes and behaviours that protect the environment. On the other hand, environmental communication is a medium to provide knowledge and understanding to the community about good environmental planning in order to be functioned effectively and provide maximum benefits for the creation of conducive community towards the environment.

Environmental Communication is also the media that can spread the message to a wide audience, used to awaken the public the importance of environmental conservation for human welfare. Through publicity, public campaigns, public service announcements, and propaganda, the media is expected to play a role in maintaining the balance of nature, social environment, economy and politics that flourish in one region. Therefore, the media has a responsibility in providing correct, accurate information, impressions and broadcasts.

The effective delivery of messages to the public is not by spreading advertisements and campaigns in the mass media. Indeed, communication in the mass media has a major influence to transform the knowledge to the public. However, to reach the stage of awareness and implementation, it still needs persuasive communication through a direct approach (interpersonal) to the community such as forming groups of environmental care in the community and give the education values of environmental conservation from an early age.

Persuasive communication can be done by carrying out events related to forest or land fires and haze crisis. These events are also a media to socialize about the causes, dangers, losses, and punishment of the fire perpetrators and the effects of the victims. The vents and environmental campaigns are then spread on the social medial as one of the tool that is currently considered powerful. For social media has quickly become an essential marketing and communications tool for private, public and non-governmental entities across the world to promote their organisation's mission, daily events and publications. Social media is also frequently used for spreading information such as press releases or other news bulletins.

Beside spreading information on awareness of preserving the environment, social media can also be used as a platform to promote campaign for companies that have been burning forests or land and companies that do not commit such crimes. This method is expected to provide social punishment for the companies who violate the law. On the other hand, it can benefit the companies with good reputation, because it is an indirect promotion to the society to use products from the companies who follow the law. This action is expected to encourage companies not to burn forest and land which can eliminate their customers.

The mass news and movements through social media will also indirectly force the relevant institutions either governmental or non governmental organizations to continue monitoring and working to resolve this annual issue even though the condition is not in a forest or land fire. Thus, community participation can begin to be mobilized from cyberspace that not only comes from Riau province, but also from all over Indonesia through the use of hashtags on social media.

This opportunity, however, still has limitation. One of them is the probability of creating instantaneous euphoria, so this campaign is likely only a last-minute wind. Therefore, it takes a society that is concerned with the environment to continuously voice community participation in protecting the environment. It is due to the fact that environmental protection needs to be done massively, since it is also the responsibility of all human beings, not just certain communities.

Furthermore, it also requires consistency and continuity for the achieved delivered message. Being consistent and sustainable can be achieved by making careful planning before intervening, since communication is a never-ending process. Therefore, it should be done repeatedly with various messages and consistent theme of message to facilitate the learning process (Ruslan, 2007).

Another challenges is the funding constraints and threats of intimidation when it comes about conducting consistent and sustainable campaigns. It can happen, because companies that violate forest and land fires laws are usually big companies. Given the potentially disastrous massive movement, it is not impossible that there will be intimidation from these parties. Even further, such parties may use legal action hiding behind hate speech law.

4. CONCLUSION

Forest and land fires, as well as environmental protection to create a healthy environment as a pre-requisite of enjoyment of human rights is shared responsibilities, so cooperation is needed by all parties. Human right based approach can be used as an effort to mitigate forest and land fires by maximizing the main elements of community participation through environmental communication by holding events, campaigning hastag movements in social media, and giving social sanctions for companies involved in the forest and land burning efforts. This approach, with some of its limitations, can be used as a solution for other efforts used to address this problem

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